

Division Two: Community Plan Regulations

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Division Two: Community Plan Regulations

Chapter 200

TITLE AND CONTENTS

SECTIONS:

17.200.00	Title
17.200.05	Contents

Section 17.200.00 Title. Division Two of Title 17, Development Code, is entitled Community Plan Regulations.

Section 17.200.05 Contents. Division Two of Title 17 consists of the following Chapters:

- A. Chapter 200 Title and Contents
- B. Chapter 202 General Community Plan Regulations
- C. Chapter 204 Grass Valley Community Plan
- D. Chapter 206 Town of Imlay Community Plan
- E. Chapter 208 Imlay – Mill City Frontage Road Commercial Plan
- E. Chapter 210 Humboldt River Ranch PUD Community Plan

CHAPTER 202

GENERAL REGULATIONS

SECTIONS:

17.202.00	Purpose
17.202.05	Compliance with Master Plan
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17.202.50	Nonconformities
17.202.55	Other Regulations

Section 17.202.00 Purpose. The purpose of Chapter 202, Community Plan Regulations, is to set forth general regulations to implement the specific qualifications for distinct communities in Pershing County.

Section 17.202.05 Compliance with Master Plan. All development shall substantially comply with the text, policies and various maps of the Pershing County Master Plan.

Section 17.202.10 Community Plans. The Community Plans subject to the provisions of this chapter include:

- A. Grass Valley
- B. Town of Imlay
- C. Imlay – Mill City Frontage Road Commercial Plan
- D. Humboldt River Ranch Community Plan

Section 17.202.15 Regulatory Land Use District. The Regulatory Land Use District for each community plan is identical to the land use categories as shown on the Land Use Plan map in each respective area.

Section 17.202.20 Uses. Uses in the Community shall comply with this section.

- A. **Primary Allowed Uses.** Provisions for primary allowed uses are set forth in Chapter 302, Allowed Uses.

- B. Accessory Uses. Provisions for uses which are accessory to the primary uses are set forth in Chapter 306, Accessory Uses and Structures.
- C. Temporary Uses and Structures. Provisions for temporary uses and temporary structures are set forth in Chapter 322, Temporary Uses and Structures.
- D. Other Regulations and Uses. Additional regulations for specific uses are set forth in the other chapters in Division Three.

Section 17.202.25 Subdivisions. Subdivisions within the community plans shall comply with Division Four.

Section 17.202.30 Development Standards. All development in the community plans shall comply with this section.

- A. Density and Intensity Standards. Maximum number of units allowed per acre, site coverage, and height of structures are set forth in Chapter 502, Density/Intensity Standards.
- B. Building Placement Standards. Building setbacks and yard requirements are set forth in Chapter 504, Building Placement Standards.
- C. Other Development Standards. Additional development standards are set forth in the other Chapters in Division Five.

Section 17.202.35 Infrastructure. The provision of infrastructure within the community plans shall comply with Division Six.

Section 17.202.40 Development Approvals. The provision of infrastructure within the community plans shall comply with Division Seven.

Section 17.202.45 Definitions. Definitions of words used throughout the Development code are set forth in Chapter 802, Definitions.

Section 17.202.50 Nonconformities. Regulations for nonconforming uses, nonconforming structures, and nonconforming lots are set forth in the other Chapters in Division Eight.

CHAPTER 204

GRASS VALLEY COMMUNITY PLAN

SECTIONS:

- 17.204.00 Purpose
- 17.204.05 Grass Valley Neighborhood Commercial Development Standards

Section 17.204.00 Purpose. The purpose of Chapter 204, Grass Valley Community Plan, is to set forth special regulations to supplement the general regulations set forth in Chapter 202 and to implement the Grass Valley Community Plan.

Section 17.204.05 Grass Valley Neighborhood Commercial Land Use District. Neighborhood Commercial, within the Grass Valley area, is allowed anywhere in certain low density suburban land use areas without a land use change. This area is along portions of Grass Valley Road, Muddy Road, and Herschell Road, more specifically described as follows.

- A. **Applicability.** The Grass Valley Neighborhood Commercial Land Use District Development Standards extend approximately 900 feet from the bottom of T.34N., R.38E., Section 29, on Grass Valley Road to the intersection of Muddy Road; from Muddy Road to the intersection of Herschell Road; and Herschell Road to the Northern Pershing County limits at T.24N., R.27E., Section 4.
- B. All new neighborhood commercial use types established within 400 feet of the center line of Grass Valley Road, Muddy Road and Herschell Road shall comply with this section. No variance to this boundary should be processed or approved.
- C. Neighborhood Commercial is defined in Section 17.104.65.
- D. Any commercial development which is defined as general commercial requires a land use change.
- E. A special use permit may be required for neighborhood commercial uses. Refer to Chapter 302, Allowed Uses, Table 17.302.05-3, Commercial Use Types.

CHAPTER 206

TOWN OF IMLAY COMMUNITY PLAN

SECTIONS:

- 17.206.00 Purpose
- 17.206.05 Authority
- 17.206.10 Definitions
- 17.206.15 General Provisions
- 17.206.20 Regulatory Land Use District
- 17.206.25 Residential Regulatory Land Use District
- 17.206.30 Neighborhood Commercial Regulatory Land Use District
- 17.206.35 General Commercial Regulatory Land Use District
- 17.206.40 Industrial Regulatory Land Use District
- 17.206.45 Nonconformance
- 17.206.50 Procedures for Obtaining Special Use Permits
- 17.206.55 Violation—Penalty

Section 17.206.00 Purpose. The purpose of Chapter 206, Town of Imlay Community Plan, is to set forth Special regulations to supplement the general regulations set forth in Chapter 202 and to implement the Town of Imlay Community Plan.

Section 17.206.05 Authority. The ordinance codified in this chapter is adopted pursuant to the provisions of NRS Chapter 278. It contains both the text as contained in this chapter and the officially adopted land use map for the Town of Imlay located in the Pershing County Master Plan.

Section 17.206.10 Definitions. Words and phrases used in this chapter shall have the same definitions as those set forth in Chapter 802 of the Development Code, unless it shall be apparent from the context that they have a different meaning.

Section 17.206.15 General Provisions.

A. **Building Height.**

1. Requirements of this chapter shall not apply to church spires, domes, chimneys, flues, flagpoles, radio towers and the like, except where such may be deemed a hazard.
2. Building height greater than 35 feet or two stories in residential or neighborhood commercial zones, or greater than fifty-five feet in general

commercial or industrial zones, shall require approval of a special use permit.

B. Area Regulations.

1. In commercial or residential areas, the minimum lot size allowed for building must be at least 10,890 square feet in order to accommodate septic disposal systems.
2. Lots which can hook into the Imlay Sewer System need not meet the above requirement.

C. Residential Front Yard Requirements.

1. No required yard or open space around an existing building, or any building hereafter erected, shall be considered a yard or open space for any other building on an adjoining lot or parcel.
2. Front yards shall have a twenty-foot (20') setback in residential areas. Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required front yard not to exceed two (2) feet.

D. Residential Side Yard Requirements.

1. Side yards must have a ten-foot (10) setback on each side of the property.
2. Outside stairs or landing places, if unroofed or unenclosed, may extend into a required side yard for a distance not to exceed three (3) feet.
3. Cornices, canopies, chimneys, eaves or similar architectural features may extend into a required side yard not to exceed two (2) feet.

E. Residential Rear Yard Requirements.

1. Rear yards shall have a five (5) foot setback.
2. Cornices, canopies, chimneys, or eaves or other similar architectural features may extend into a required rear yard not to exceed two (2) feet.

F. Lighting – Residential or Commercial. Any lighting facilities shall be installed as to reflect away from adjoining properties.

G. Lot Entrances – Residential or Commercial. A culvert will be placed at each lot entrance where runoff water may create a problem to the streets. This is to be determined by the road department superintendent.

- H. Alleys. Alleyways must be a minimum of twenty feet wide.
- I. Accessory Buildings. A detached accessory building shall be located not closer than three feet to any main building on the lot or five feet from any side or rear property line. No accessory building shall exceed fifteen (15) feet in height without a special use permit.
- J. Parking Requirements. Requirements shall be determined by the regulatory land use district and the provisions of the Development Code.

Section 17.206.20 Regulatory Land Uses. The unincorporated Town of Imlay shall have the following regulatory land use designations: High Density Suburban, Medium Density Suburban, General Commercial, Neighborhood Commercial, and Industrial.

- A. Uncertain Boundaries. Interpretation of district boundaries where uncertainty exists as to the boundaries of regulatory land use districts, as shown, the following shall apply:
 - 1. Boundaries are intended to parallel street lines or to follow lot or property lines as they exist at the time of passage of this chapter of amendments hereto, unless specifically shown otherwise. Where a land use district boundary line divides a lot in single ownership, the regulations of the least restrictive portion of such lot shall prevail for an extension of not more than fifty feet into the most restrictive portion.
 - 2. In the event of further uncertainty, the Planning Director shall interpret intent as to the boundary location.

Section 17.206.25 Residential Regulatory Land Use. The residential regulatory land use designations, that include High Density Suburban and Medium Density Suburban, are to provide for single-family dwellings.

- A. Permitted Uses.
 - 1. Single-family dwellings;
 - 2. Manufactured homes on a permanent perimeter foundation, runners, or block sets; and
 - 3. In-home child care for the given number of children one caregiver may care for under Nevada Law.
- B. Uses Requiring a Special Use Permit.

1. Churches;
2. Schools;
3. Public parks and recreation areas;
4. Multi-family dwellings;
5. Child-care facility requiring more than one child-care giver; and
6. Home occupations pursuant to Chapter 324.

Section 17.206.30 Neighborhood Commercial Regulatory Land Use District. The neighborhood commercial regulatory land use district is to provide for commercial and service enterprises which are customarily associated with residential development. It is further the intent of this land use district to allow for uses which are frequented for personal goods or services such that there is not a lot of vehicular traffic.

A. Permitted Uses.

1. Barber and beauty shops.
2. Childcare facilities.
3. Fitness centers.
4. Video stores.
5. Financial institutions.
6. Laundromats.
7. Professional business, financial or public utilities office.
8. Restaurants without bars or cocktail lounges.
9. Schools.
10. Churches.
11. Public parks and recreation areas.

B. Uses Requiring Special Use Permits.

1. Convenience stores.

2. Video arcades.
3. Car Washes.
4. Restaurants with bars.
5. Other uses which are compatible with the nearby residential areas.

Section 17.206.35 General Commercial Regulatory Land Use. The general commercial regulatory land use district is to provide for general commercial and service enterprises as defined in Chapter 104.

A. Permitted Uses.

1. Service stations and retail gasoline sales;
2. Automobile repair establishments;
3. Motels;
4. Recreational vehicle parks;
5. Wholesale or retail sales establishments;
6. Bars; and
7. Car washes.

B. Uses Requiring a Special Use Permit.

1. Other businesses not permitted by right that will be compatible with other commercial development or nearby residential areas.

C. Setbacks

1. Front: ten (10) feet;
2. Side: buildings must be placed either on the side lot line or a minimum of ten (10) feet away. If the building is located adjacent to a property with a residential land use designation, the minimum setback shall be ten feet; and
3. Rear: buildings must be placed either on the rear lot line or a minimum of ten (10) feet away. If the building is located adjacent to a property with a

residential land use designation, the minimum setback shall be ten (10) feet.

Section 17.206.40 Industrial Regulatory Land Use. The industrial regulatory land use designation is to provide for intensive activities and land uses which have the most potential for off-site impacts (heavy industrial). This regulatory zone is located in areas with access to roadway and/or railway transportation systems.

A. Permitted Uses

1. Animal kennels;
2. Automobile repair establishments;
3. Car washes;
4. Indoor manufacturing, processing, assembly and fabrication businesses;
5. Laundry and dry cleaning establishments. Dry cleaning establishments shall not be located within one-quarter (1/4) mile of any other existing dry cleaning establishment;
6. Maintenance, repair and renovation businesses;
7. Outdoor storage. Outdoor storage will be visually screened from streets with a solid view-screening fence;
8. Power substations and other public facilities;
9. Printing, reproduction or publishing establishments;
10. Service stations;
11. Warehousing and/or distribution facilities; and
12. Accessory uses which are incidental to and customarily associated with the above permitted uses.

B. **Uses Requiring a Special Use Permit.** Any uses incompatible with the surrounding commercial and residential uses.

C. **Uses Specifically Prohibited.**

1. Any residential use except in conjunction with a permitted use; and

2. Churches, schools or other institutions which are inhabited by people.
- D. **Height Limitation.** Fifty-five feet (55'), without special use permit.
- E. **Minimum Lot Size and Width.** One acre minimum area; one hundred fifty feet average width.
- F. **Setbacks**
1. Front: ten (10) feet;
 2. Side: buildings must be placed either on the side lot line or a minimum of ten (10) feet away. If the building is located adjacent to a property with a residential land use designation, the minimum setback shall be ten feet; and
 3. Rear: buildings must be placed either on the rear lot line or a minimum of ten (10) feet away. If the building is located adjacent to a property with a residential land use designation, the minimum setback shall be ten (10) feet. (Ord. 118 §8, 1991)

Section 17.206.45 Nonconformance. A lawful use of land or building not in conformance with the regulations prescribed in this chapter, existing at the time of the adoption of the Development Code may be continued in accordance with Chapter Eight of this Code.

Section 17.206.50 Procedures for Obtaining Special Use Permits. Regulations pertaining to special use permits are set forth in Chapter 706 of the Development Code. (Ord. 118 §10, 1991)

Section 17.206.55 Violation – Penalty. Violations of the provisions of this Chapter shall be administered in accordance with the provisions of Chapter 806 of this Code.

CHAPTER 208

IMLAY – MILL CITY FRONTAGE ROAD COMMERCIAL PLAN

SECTIONS:

- 17.208.00 Purpose
- 17.208.05 Imlay-Mill City Frontage Road Development Standards

Section 17.208.00 Purpose. The purpose of Chapter 208, Imlay-Mill City Frontage Road Development Standards, is to set forth special regulations to supplement the general regulations set forth in Chapter 202 and to implement the Imlay-Mill City Frontage Road Development Standards.

Section 17.208.05 Development Standards.

- A. Applicability. The Imlay-Mill City Frontage Road Development Standards apply to an area that extends one-quarter (1/4) mile from the center line of the Frontage Road on the north side of Interstate 80 in that area between Imlay and Mill City.
- B. Commercial uses allowed shall be those uses allowed in both the General Commercial land use district as described in Section 17.104.60 and the Neighborhood Commercial land use district as described in Section 17.104.65 of the development code.
- C. A special use permit may be required for general commercial or neighborhood commercial uses. Refer to Chapter 302, Allowed Uses, Table 17.302.05-3, Commercial Use Types.
- D. Residential uses are permitted. Refer to Chapter 302, Allowed Uses, Table 17.302.05-1 – Residential Use Types.

CHAPTER 210

HUMBOLDT RIVER RANCH COMMUNITY PLAN

SECTIONS:

- 17.210.00 Purpose
- 17.210.05 Humboldt River Ranch Commercial District

Section 17.210.00 Purpose. The purpose of Chapter 210, Humboldt River Ranch Community Plan, is to set forth special regulations to supplement the general regulations set forth in Chapter 202 and to implement the Humboldt River Ranch Community Plan.

Section 17.210.05 Humboldt River Ranch Commercial District. Commercial development, within the Humboldt River Ranch Commercial District is allowed. These areas are located in Phase “A” of the development, more specifically described as follows:

- A. **Applicability.** The Humboldt River Ranch Commercial District development standards apply to lots A-E, 1-41, 201-226 and 475-511 of Phase “A” of the development.
- B. Commercial uses allowed shall be those uses allowed in both the General Commercial land use district as described in Section 17.104.60 and the Neighborhood Commercial land use district as described in Section 17.104.65 of the development code.
- C. A special use permit may be required for general commercial or neighborhood commercial uses. Refer to Chapter 302, Allowed Uses, Table 17.302.05-3, Commercial Use Types.
- D. Residential uses are permitted. Refer to Chapter 302, Allowed Uses, Table 17.302.05-1 – Residential Use Types.